

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA

Plaintiff,

vs.

DONALD PEARSTON

Defendant.

**4:23MJ3117**

**ORDER ISSUED PURSUANT TO THE  
DUE PROCESS PROTECTION ACT**

This matter came before the Court for Initial Appearance on a Complaint. The government was represented by Matthew R. Molsen. The defendant was present and represented by Timothy Noerrlinger.

**IT IS ORDERED:**

Pursuant to the Due Process Protections Act, the Court confirms the United States' obligation to disclose to the defendant all exculpatory evidence as required by Brady v. Maryland, 373 U.S. 83 (1963) and its progeny, and orders the United States to do so. Failure to disclose exculpatory evidence in a timely manner may result in consequences, including, but not limited to, exclusion of evidence, adverse jury instructions, dismissal of charges, contempt proceedings, or sanctions by the Court.

DATED: September 20, 2023.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge